

104TH CONGRESS
2D SESSION

S. 1736

For the relief of Staff Sergeant Charles Raymond Stewart and Cynthia M. Stewart of Anchorage, Alaska, and their minor son, Jeff Christopher Stewart.

IN THE SENATE OF THE UNITED STATES

MAY 8, 1996

Mr. STEVENS introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

For the relief of Staff Sergeant Charles Raymond Stewart and Cynthia M. Stewart of Anchorage, Alaska, and their minor son, Jeff Christopher Stewart.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CONSENT TO SUIT.**

4 Notwithstanding section 2735 of title 10, United
5 States Code, section 2680(k) of title 28, United States
6 Code, or any other provision of law, the United States Dis-
7 trict Court for Alaska shall have jurisdiction to hear, de-
8 termine, and render judgment for damages on a claim by
9 Staff Sergeant Charles Raymond Stewart and Cynthia M.

1 Stewart of Anchorage, Alaska, brought on behalf of their
2 minor son, Jeff Christopher Stewart, arising out of alleged
3 improper diagnosis or medical treatment by physicians
4 and medical personnel employed by the United States re-
5 lating to an injury suffered by Jeff Christopher Stewart
6 on August 10, 1992, on Ramstein Air Base near
7 Kaiserslautern, Germany.

8 **SEC. 2. LIMITATIONS PERIOD.**

9 Suit on a claim under section 1 may be instituted
10 at any time no later than 1 year after the date of enact-
11 ment of this Act.

12 **SEC. 3. PRIOR SETTLEMENT.**

13 Settlement of a claim before the date of enactment
14 of this Act shall not bar a claim under section 1. The
15 amount of any damages awarded for a claim under section
16 1 shall be reduced by any amount of damages paid to the
17 claimant under a settlement made before the date of the
18 enactment of this Act of a claim relating to the same in-
19 jury described under such section.

20 **SEC. 4. NO INFERENCE OF LIABILITY.**

21 Nothing in this Act shall be construed as an inference
22 of liability on the part of the United States.

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